

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

MOEINEDDIN GHAVAMI,

**Plaintiff,**

V.

**CIVIL ACTION NO.**

**JUAN ALANIS and  
JOSE LEDESMA, individually and in  
their official capacities as Bexar County  
Detention Center guards, and  
SEVERAL UNKNOWN BEXAR COUNTY  
DETENTION CENTER GUARDS,  
individually and in their official capacities  
as Bexar County Detention Center Guards,  
and BEXAR COUNTY, TEXAS,**

SA-05-CV-0700 RF

### **Defendants.**

**ORDER DENYING MOTION TO COMPEL (Docket entry 109)**

The matter before the Court is defendant Ledesma's motion to compel informal discovery, plaintiff's response, defendant's reply and plaintiff's sur-reply (docket entries 109, 111, 131, and 133).

By his motion defendant asks the court to compel plaintiff to permit defendant to contact medical personnel by signing HIPAA authorizations. Plaintiff objects and insists that defendant use formal means of discovery to acquire the information.

Clearly, the information sought by defendant is relevant to this dispute. However, defendant has cited no rule of procedure or case authority which would authorize the court to compel the informal discovery process. In lieu of agreement, defendant may utilize formal requests for production, deposition notices and Rule 45 subpoena processes...but the rules do not require

opposing counsel to agree to the requested authorizations nor empower this court to compel the authorizations.

It is therefore **ORDERED** that the motion to compel is **DENIED**.

**SIGNED on June 29, 2006.**

Nancy Stein Nowak  
**NANCY STEIN NOWAK**  
**UNITED STATES MAGISTRATE JUDGE**